

Minute

Development and Infrastructure Committee

Tuesday, 4 June 2024, 09:30.

Council Chamber, Council Offices, School Place, Kirkwall.



Present

Councillors Kristopher D Leask, Graham A Bevan, Alexander G Cowie, P Lindsay Hall, Rachael A King, W Leslie Manson, Raymond S Peace, Gillian Skuse, Mellissa-Louise Thomson, Owen Tierney, Duncan A Tullock and Heather N Woodbridge.

Clerk

- Katy Russell-Duff, Committees Officer.

In Attendance

- Hayley Green, Corporate Director for Neighbourhood Services and Infrastructure.
- James Buck, Head of Marine Services, Transportation and Harbour Master.
- Roddy Mackay, Head of Planning and Community Protection (for Items 1 to 7).
- Kenny MacPherson, Head of Property, Asset Management and Facilities (for Items 1 to 5).
- Lorna Richardson, Head of Neighbourhood Services (for Items 1 to 5).
- Karen Bevilacqua, Service Manager (Legal Services).
- Laura Cromarty, Service Manager (Transportation).
- Hazel Flett, Service Manager (Governance).
- Shonagh Merriman, Service Manager (Corporate Finance).
- Susan Shearer, Service Manager (Development and Marine Planning) (for Items 5 to 7).
- Craig Walker, Service Manager (HR Operations).
- David Hibbert, Technical Superintendent (for Items 7 to 11).
- Jonathan Walters, Team Manager (Quarries) (for Items 1 to 5).

In Attendance via remote link (Microsoft Teams)

- Gareth Waterson, Corporate Director for Enterprise and Sustainable Regeneration.

Observing

- Symeon Grayson, Airfield Superintendent (for Items 7 to 10).
- Kirsty Groundwater, Team Manager (Communications) (for Items 8 to 11).
- Charlotte Savage, Urban Design Planner (for Items 5 and 6).
- Maya Tams-Gray, Committees Officer.

Declaration of Interest

- Councillor W Leslie Manson – Item 10.

Chair

- Councillor Kristopher D Leask.

1. Appointment of Vice Chair

The Chair called for nominations for the post of Vice Chair of the Development and Infrastructure Committee, and the Committee:

Resolved that Councillor Mellissa-Louise Thomson be appointed Vice Chair of the Development and Infrastructure Committee.

2. Appointments to Sub-committees, Groups and Other Bodies

After consideration of a report by the Corporate Director for Strategy, Performance and Business Solutions, copies of which had been circulated, and after hearing a report from the Service Manager (Governance), the Committee:

Resolved:

2.1. That, unless determined otherwise, the undernoted appointments and/or nominations to the various Sub-committees, groups and other bodies falling within the remit of the Development and Infrastructure Committee should be for the remainder of the term of this Council, namely for three years to May 2027.

The Committee thereafter resolved to make the undernoted appointments.

2.2. Harbour Authority Sub-committee

The Committee resolved, in terms of delegated powers:

2.2.1. That the following members be appointed to serve on the Harbour Authority Sub-committee for the period to May 2027:

- Chair, Development and Infrastructure Committee – Councillor Kristopher D Leask.
- Vice Chair, Development and Infrastructure Committee – Councillor Mellissa-Louise Thomson.
- Councillor Graham A Bevan.
- Councillor P Lindsay Hall.
- Councillor Duncan A Tullock.
- Councillor Heather N Woodbridge.

The Committee resolved to **recommend to the Council:**

2.2.2. That Councillor Ivan A Taylor, who was not a member of the Development and Infrastructure Committee, be appointed to serve on the Harbour Authority Sub-committee for the period to May 2027.

2.3. Neighbourhood Services Consultative Group

The Committee resolved, in terms of delegated powers, that the following members be appointed to serve on the Neighbourhood Services Consultative Group for the period to May 2027:

- Chair, Development and Infrastructure Committee – Councillor Kristopher D Leask.
- Vice Chair, Development and Infrastructure Committee – Councillor Mellissa-Louise Thomson.
- Councillor W Leslie Manson.
- Councillor Raymond S Peace.
- Councillor Gillian Skuse.
- Councillor Owen Tierney.
- Councillor Duncan A Tullock.

2.4. Planning and Community Protection Consultative Group

The Committee noted:

2.4.1. That, although the constitutional arrangements provided for three other Members of the Committee, on 7 June 2022, the Development and Infrastructure Committee appointed two other Members.

The Committee resolved, in terms of delegated powers:

2.4.2. That the following members be appointed to serve on the Planning and Community Protection Consultative Group.

- Chair, Development and Infrastructure Committee – Councillor Kristopher D Leask.
- Vice Chair, Development and Infrastructure Committee – Councillor Mellissa-Louise Thomson.
- Councillor P Lindsay Hall.
- Councillor Raymond S Peace.

The Committee resolved to **recommend to the Council**:

2.4.3. That the following additional members be appointed to serve on the Planning and Community Protection Consultative Group.

- Chair, Planning Committee – Councillor Owen Tierney.
- Vice Chair, Planning Committee – to be appointed on 3 July 2024.

2.5. Transport Fairer Funding Consultative Group

The Committee resolved, in terms of delegated powers, that the Transport Fairer Funding Consultative Group be disestablished.

2.6. Regulatory Appeals Panel

The Committee noted the existing arrangements whereby the Regulatory Appeals Panel comprised three members of the Development and Infrastructure Committee, with powers delegated to the Chief Executive to select members to sit on the Regulatory Appeals Panel, as and when required, depending on availability and the nature of the appeal.

2.7. Destination Orkney Strategic Partnership

The Committee noted:

2.7.1. That representation on and participation in the Destination Orkney Strategic Partnership was in an advisory capacity only, while representing the function and remit of the relevant stakeholder organisation.

The Committee resolved, in terms of delegated powers:

2.7.2. That the following members be appointed to serve on the Destination Orkney Strategic Partnership, in an advisory capacity only, for the period to May 2027:

- Chair, Development and Infrastructure Committee – Councillor Kristopher D Leask.
- Vice Chair, Development and Infrastructure Committee – Councillor Mellissa-Louise Thomson.

2.8. Highlands and Islands Transport Partnership (HiTRANS)

The Committee resolved, in terms of delegated powers, that the following members be appointed to serve on the Highlands and Islands Transport Partnership (HiTRANS) for the period to May 2027:

- Chair, Development and Infrastructure Committee – Councillor Kristopher D Leask.
- Vice Chair, Development and Infrastructure Committee – Councillor Mellissa-Louise Thomson (substitute).

2.9. KIMO

The Committee resolved, in terms of delegated powers:

2.9.1. To continue with an appointment to KIMO, including the appointment of a substitute member.

2.9.2. That Councillor Heather N Woodbridge be reappointed to serve on KIMO for the period to May 2027.

2.9.3. That Councillor Kristopher D Leask be appointed as a substitute to represent the Council at KIMO for the period to May 2027.

2.10. Orkney Energy Strategy Stakeholder Group

The Committee noted:

2.10.1. The proposals to review the remit and membership of the Orkney Energy Strategy Stakeholder Group.

The Committee resolved, in terms of delegated powers:

2.10.2. That the following members be appointed to serve on the Orkney Energy Strategy Stakeholder Group for the period to May 2027:

- Convener – Councillor Graham A Bevan.
- Leader – Councillor Heather N Woodbridge.
- Depute Leader – Councillor Alexander G Cowie.
- Chair, Development and Infrastructure Committee – Councillor Kristopher D Leask.
- Vice Chair, Development and Infrastructure Committee – Councillor Mellissa-Louise Thomson.

2.10.3. That, to supplement membership, the following additional officers/organisations be invited to attend the Orkney Energy Strategy Stakeholder Group:

- Head of Property, Asset Management and Facilities.
- Scottish and Southern Electricity.
- Heriot-Watt University.
- UHI Orkney.
- Islands Centre for Net Zero.
- The Orkney Partnership.
- Any other organisation deemed necessary in order to fulfil the remit of the Stakeholder Group.

2.11. Orkney Local Plan District Partnership

The Committee resolved, in terms of delegated powers, that Councillor W Leslie Manson be reappointed to serve on the Orkney Local Plan District Partnership for the period to May 2027.

2.12. Orkney Marine Planning Advisory Group

The Committee resolved, in terms of delegated powers:

2.12.1. That the following members be appointed to serve on the Orkney Marine Planning Advisory Group for the period to May 2027:

- Chair, Development and Infrastructure Committee – Councillor Kristopher D Leask.
- Vice Chair, Development and Infrastructure Committee – Councillor Mellissa-Louise Thomson.

The Committee resolved to **recommend to the Council:**

2.12.2. That the following additional members be appointed to serve on the Orkney Marine Planning Advisory Group.

- Chair, Planning Committee – Councillor Owen Tierney.
- Vice Chair, Planning Committee – to be appointed on 3 July 2024.

2.13. Orkney Renewable Energy Forum

The Committee resolved, in terms of delegated powers, that the following members be appointed to serve on the Orkney Renewable Energy Forum, in an observer status only, for the period to May 2027:

- Chair, Development and Infrastructure Committee – Councillor Kristopher D Leask.
- Vice Chair, Development and Infrastructure Committee – Councillor Mellissa-Louise Thomson.

2.14. Road Safety Forum

The Committee resolved to **recommend to the Council**:

2.14.1. That the constitutional arrangements for the Road Safety Forum be amended by including the Chair of the Police and Fire Sub-committee.

2.14.2. That the following members be appointed to serve on the Road Safety Forum for the period to May 2027:

- Chair, Development and Infrastructure Committee – Councillor Kristopher D Leask.
- Vice Chair, Development and Infrastructure Committee – Councillor Mellissa-Louise Thomson.
- Chair, Police and Fire Sub-committee – Councillor David Dawson.
- Councillor Duncan A Tullock.

3. Performance Monitoring – Enterprise and Sustainable Regeneration

After consideration of a report by the Corporate Director for Enterprise and Sustainable Regeneration, copies of which had been circulated, the Committee:

Scrutinised:

3.1. The performance of Enterprise and Sustainable Regeneration for the reporting period 1 October 2023 to 31 March 2024, in respect of directorate priorities and performance indicators, as set out in Annexes 1 and 2 respectively to the report by the Corporate Director for Enterprise and Sustainable Regeneration, and obtained assurance.

3.2. The complaints and compliments made to Enterprise and Sustainable Regeneration in the 6-month period from 1 October 2023 to 31 March 2024, and for the two preceding six-month periods, as set out in section 5 of the report by the Corporate Director for Enterprise and Sustainable Regeneration, and obtained assurance.

4. Performance Monitoring – Neighbourhood Services and Infrastructure

After consideration of a report by the Corporate Director for Neighbourhood Services and Infrastructure, copies of which had been circulated, the Committee:

Scrutinised:

4.1. The performance of Neighbourhood Services and Infrastructure for the reporting period 1 October 2023 to 31 March 2024, in respect of directorate priorities and performance indicators, as set out in Annexes 1 and 2 respectively to the report by the Corporate Director for Neighbourhood Services and Infrastructure, and obtained assurance.

4.2. The complaints and compliments made to Neighbourhood Services and Infrastructure in the 6-month period from 1 October 2023 to 31 March 2024, and for the two preceding six-month periods, as set out in section 5 of the report by the Corporate Director for Neighbourhood Services and Infrastructure, and obtained assurance.

The Committee resolved to **recommend to the Council**:

4.3. That the following action, that had been progressed to completion, be closed:

- Management and maintenance of road assets – implement the agreed Roads Asset Management Programme and Roads Revenue Maintenance Programme.

4.4. That the revised Neighbourhood Services and Infrastructure Risk Register, attached as Appendix 1 to this Minute, be approved.

5. Cursiter Quarry Business Plan

After consideration of a report by the Corporate Director for Neighbourhood Services and Infrastructure, copies of which had been circulated, and after hearing a report from the Head of Neighbourhood Services, the Committee:

Resolved to **recommend to the Council** that the Cursiter Quarry Business Plan for 2024 – 2029, attached as Appendix 2 to this Minute, be approved.

6. Stromness South End Development Brief

After consideration of a report by the Corporate Director for Neighbourhood Services and Infrastructure, copies of which had been circulated, and after hearing a report from the Service Manager (Development and Marine Planning), the Committee:

Resolved to **recommend to the Council** that the Stromness South End Development Brief, attached as Appendix 3 to this Minute, be approved.

7. Local Transport Strategy

After consideration of a report by the Corporate Director for Enterprise and Sustainable Regeneration, together with an Equality Impact Assessment and an Island Communities Impact Assessment, copies of which had been circulated, and after hearing a report by the Service Manager (Transportation), the Committee:

Noted:

7.1. That approval of the Local Transport Strategy and associated Delivery Plan did not confirm any right of access to Council funding, with any funding requests submitted on a case-by-case basis through the relevant routes defined in the Scheme of Administration and in accordance with the Financial Regulations.

The Committee resolved to **recommend to the Council:**

7.2. The Orkney Local Transport Strategy and associated Local Transport Strategy Delivery Plan, attached as Appendices 4 and 5 to this Minute, be approved.

8. Orkney Ferries Limited – Service Level Agreements

After consideration of a report by the Corporate Director for Enterprise and Sustainable Regeneration, copies of which had been circulated, the Committee:

Resolved to **recommend to the Council** that powers be delegated to the Corporate Director for Enterprise and Regeneration, in consultation with the Head of Legal and Governance, to conclude the updated Service Level Agreements between the Council and Orkney Ferries Limited in respect of the lifeline ferry services provided by Orkney Ferries Limited.

9. Exclusion of Public

On the motion of Councillor Kristopher D Leask, seconded by Councillor Mellissa-Louise Thomson, the Committee resolved that the public be excluded from the remainder of the meeting, as the business to be discussed involved the disclosure of exempt information of the classes described in the relevant paragraphs of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973 as amended.

10. Airfield Authorisation Process for Private Aircraft

Councillor W Leslie Manson declared an interest in this item, his connection being that he was close friends with pilots operating private aircraft in Orkney and had discussed this matter with them, and was not present during discussion of this matter.

Under section 50A(4) of the Local Government (Scotland) Act 1973, the public had been excluded from the meeting for this item on the grounds that it involved the disclosure of exempt information as defined in paragraphs 1 and 3 of Part 1 of Schedule 7A of the Act.

After consideration of a report by the Corporate Director for Enterprise and Sustainable Regeneration, copies of which had been circulated, and after hearing a report from the Service Manager (Transportation), the Committee:

Resolved to **recommend to the Council:**

10.1. That the continued requirement for private landings on North Isles airfields to seek prior permission and be granted authorisation to land on Council airfields, in accordance with the Prior Permission Required process, including adherence to the 15-minute rule, be reinforced.

10.2. That the Corporate Director for Enterprise and Sustainable Regeneration should work with partners, including the Civil Aviation Authority and other authorities, on improved enforcement of the Prior Permission Required process.

11. Ferry Replacement Programme – Next Steps

Under section 50A(4) of the Local Government (Scotland) Act 1973, the public had been excluded from the meeting for this item on the grounds that it involved the disclosure of exempt information as defined in paragraphs 6, 8 and 9 of Part 1 of Schedule 7A of the Act.

After consideration of a report by the Corporate Director for Enterprise and Sustainable Regeneration, together with an Equality Impact Assessment and an Island Communities Impact Assessment, copies of which had been circulated, and after hearing a report from the Service Manager (Transportation), the Committee:

Resolved to **recommend to the Council:**

11.1. That the Corporate Director for Enterprise and Sustainable Regeneration should progress with the Ferry Replacement Programme of works during 2024/25 as follows:

- Vessel Design.
- Ground Investigation.
- Hydrographic Survey.
- Hydraulic Investigation.
- Engineering Design – Feasibility/Concept.
- Engineering Design – Outline.
- Engineering Design – Detailed.

11.2. That the Corporate Director for Enterprise and Sustainable Regeneration should undertake further correspondence with the communities to update them on the revised approach to be taken as a result of the Review of Outline Business Case.

11.3. That the programme of works, outlined at paragraph 11.1 above, should feed into a Final Business Case, which was expected to be completed during 2025.

The above constitutes the summary of the Minute in terms of the Local Government (Scotland) Act 1973 section 50C(2) as amended by the Local Government (Access to Information) Act 1985.

12. Conclusion of Meeting

At 13:30 the Chair declared the meeting concluded.

Signed: Kristopher Leask.